

# **EXHIBIT 11**

# CARLOS LAMOUTTE

ADVISOR • ATTORNEY • NOTARY

June 12, 2021

## **BY U.S. MAIL**

Mr. David A. Skeel, Jr.  
Mr. Andrew G. Biggs  
Mr. Arthur J. González  
Mr. Antonio L. Medina  
Mr. John E. Nixon  
Mr. Justin M. Peterson  
Ms. Betty A. Rosa  
Financial Oversight and Management Board for Puerto Rico  
P.O. Box 192018  
San Juan, Puerto Rico 00919-2018

**Re: FORMAL PETITION TO THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO REQUESTING *EX POST FACTO* REVISION AND DECLARATION OF ANNULMENT AND AVOIDANCE OF PUERTO RICO GOVERNMENT CONTRACT**

To all voting members of the Financial Oversight and Management Board for Puerto Rico:

Attached please find a true and exact copy of a petition letter addressed to Executive Director Jaresko and to General Counsel El Koury, pursuant to which the Oversight Board has been formally petitioned to: (a) REVIEW that certain Loan Sale Agreement entered into as of September 7, 2018 by and between the Economic Development Bank for Puerto Rico (*Banco de Desarrollo Económico para Puerto Rico*) (by its Spanish acronym, “BDE”) and a private foreign investor named PR Recovery and Development JV, LLC (“PR Recovery”), registered at the Office of the Comptroller of Puerto Rico under contract number BDEPR-2019-000044 (hereinafter, the “Loan Sale Agreement”), pursuant to which the BDE unlawfully transferred a \$384,269,047 loan portfolio to PR Recovery, at a 91% discount, and under other highly suspect circumstances which are the object of ongoing litigation; and (b) TAKE ENFORCEMENT ACTION under the federal powers available to the Oversight Board, including those set forth in Sections 104(c), 104(k) and 204(b)(5) of the PROMESA Act.

To the extent that the Oversight Board bears the statutory obligation under the PROMESA Act to review and validate all Puerto Rico government contracts having a transactional value in excess of \$10,000,000, the plaintiff class that we represent hereby formally petitions that the annulment and avoidance of the \$384,269,047 Loan Sale Agreement be included in the agenda for the upcoming meeting of the Oversight Board.



CL

The Loan Sale Agreement is the object of ongoing civil litigation, including the lender liability class action referenced in our June 9<sup>th</sup> letter, and it is an uncontested fact that such government contract was never reviewed or approved by the Oversight Board prior to its execution by the BDE and PR Recovery, as has been correctly certified in the past by Ms. Jaresko and by attorney El Koury.

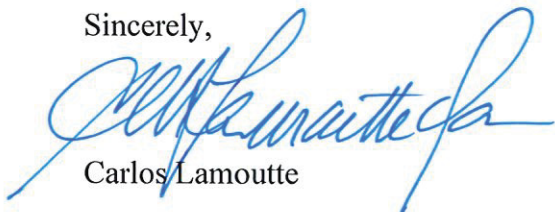
Be aware that the BDE itself has made allegations of fraud and is judicially seeking that the entire Loan Sale Agreement be declared null and void *ab initio*. Also be aware that the BDE's former President, Mr. Luis Burdiel Agudo, recently declared himself guilty of two fraud felonies that directly relate to the \$384,269,047 loan portfolio that was unlawfully transferred to PR Recovery under the Loan Sale Agreement.

We request the Oversight Board to evaluate the Loan Sale Agreement at its next public meeting, either to ratify the same or to declare it null and void under the federal powers at its disposal. In our view, the Oversight Board needs to take prompt, affirmative action in connection with a Puerto Rico government contract that is already tainted of illegality, and that was purposefully diverted away from Oversight Board's prior inspection and approval processes, *sub silentio*.

The Oversight Board's failure to take any action in connection with the Loan Sale Agreement would create the terrible precedent that it is "O.K." to not submit significant government contracts to the Oversight Board for approval, as required under PROMESA Act, and to bypass the Oversight Board and the formalities of the PROMESA Act altogether, to benefit a private party and to enable a questionable transaction.

We support the Oversight Board's mission in Puerto Rico. We make ourselves available to appear before the Oversight Board to present on this matter at its next public meeting, to illustrate the Oversight Board as to all of the irregularities that surround the Loan Sale Agreement, such that the Oversight Board can make an informed decision as to this controversial government contract that launched the BDE to its own insolvency and that is affecting hundreds of small business owners throughout the island.

Sincerely,



Carlos Lamoutte

C: Governor Pedro Pierluisi Urrutia  
Ex Officio Member of the  
Financial Oversight and Management Board for Puerto Rico  
Office of the Governor of Puerto Rico  
63 Calle Fortaleza  
San Juan, Puerto Rico 00901